



ATTORNEY DOCKET NO.: 046124-5122

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Norifumi TOMITA et al.

Application No.: 10/089,866

Filed: April 5, 2002

For: WAVELENGTH-VARIABLE LIGHT OUTPUTTING APPARATUS

Confirmation No.: 1438

Group Art Unit: 2874

Examiner: Unassigned

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

An International Search Report (ISR) dated December 26, 2000 is submitted herewith along with the documents listed thereon. Applicants respectfully request that the Examiner consider the ISR and cited references and evidence that consideration by making appropriate notations on the attached form.

The following documents are listed on the PTO Form-1449 and are in a language other than English. As for relevance, an English-language Abstract or partial English translation is provided for each document.

1. JP 1-223929
2. JP 1-136431
3. JP 9-179002

4. JP 7-104397
5. JP 6-61489
6. JP 5-167159

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

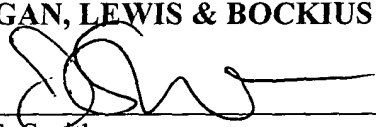
**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: December 18, 2002

  
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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Attorney Docket No.:

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Application No.:

10/089.866

Applicant(s):

Norifumi TOMITA et al.

Page 1 of 1

Filing Date: April 5, 2002

Group: 2874

PTO Form 1449

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation	
						Yes	No
	JP 1-223929 (w/English Abstract)	09/07/89	Japan				X
	JP 9-179002 (w/ English Abstract)	07/11/97	Japan				X
	JP 7-104397 (w/English Abstract)	04/21/95	Japan				X
	JP 5-167159 (w/English Abstract)	07/02/93	Japan				X
	JP H1-136431 (w/Partial English Translation)	09/19/89	Japan			Partial	
	JP H6-61489 (w/Partial English Translation)	08/30/94	Japan			Partial	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.